



CITY OF NEWTON, MASSACHUSETTS

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Setti D. Warren
Mayor

ZONING BOARD OF APPEALS

Sherri Lougee, Board Clerk

NOTICE OF DECISION

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #11-11** from Gerald A. McDade, Trustee of the Waltham Street Funding Trust u/d/t dated May 23, 1996, 371 Waltham Street, Newton, MA, requesting a 7.5 foot variance from the frontage requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, resulting in a frontage of 72.5 feet. **(Required frontage for new lots created after December 7, 1953 is 80 feet.)** The property is located in a Single Residence 3 District. **The petitioners' request for a variance from the frontage requirement was denied without prejudice, 3-2.**
- #12-11** from Robert Chin and Gail Chin, 186 Auburn Street, Newton, MA, requesting a variance to legalize the property as a two-family dwelling. The property is located in a Single Residence 2 District. **The petitioners' request for a variance to legalize the property as a two-family dwelling was granted, subject to conditions, 5-0.**
- #13-11** from Richard D. Sewall, P.O. Box 95092, Newton, MA, requesting a 22.00 foot variance for each parcel from the frontage requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, for property located at 87-89 Waban Street, Newton, in order to subdivide a 20,082 parcel into two lots and construct a new two-family dwelling on the second lot, resulting in a frontage of 58 feet for each lot. **(Required frontage for new lots created after December 7, 1953 is 80 feet.)** The property is located in a Multi Residence 1 District. **The petitioners' request for a variance from the frontage requirement was denied, 4-1.**
- #14-11** from Sandra M. Snyder and Cecilia A. Snyder, 12 Turner Street, Newtonville, MA, requesting a variance to legalize an accessory dwelling unit. The property is located in a Multi Residence 1 District. **The petitioners' request for a variance to legalize the property as a two-family dwelling was denied, 5-0.**
- #4-11** from John B. Hollingsworth, 59 Standish Road, Wellesley, MA, requesting a variance of 2.0 feet from the maximum allowable height requirement for accessory buildings of the Newton Revised Zoning Ordinances, Section 30-15(m)(2), to legalize a garage at 373 Lexington Street, Newton, resulting in a height of 20.0 feet. **(Maximum allowable height for an accessory building is 18.0 feet.)** The property is located in a Single Residence 3 District. **The Board voted to grant petitioner's request to withdraw his variance application without prejudice, 5-0.**

#8-10 from Ralph S. Robart, 28 Richardson Road, Newton, MA, appealing the Commissioner of the Inspectional Services Department's denial of a building permit at 32 Williams Street, Newton, for the construction of a two-family dwelling. The property is located in a Multi Residence 1 District. **The petitioners' appeal of the decision of the Commissioner of Inspectional Services was granted, 5-0. Therefore, the Board overturned the determination of the Commissioner of the Inspectional Services.**

Any appeal of the above decisions must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 8-10, 4-11, 11-11, 12-11, 13-11 and 14-11 were filed on July 22, 2011.